

Attorney docket number: HTS-0008US.P1

### **REMARKS**

Upon entry of the claim amendments submitted herewith, claims 14 and 15, claims 19-29, and claims 42-53 are pending. Applicants have cancelled claims 1-13 without prejudice and reserve the right to prosecute the subject matter in a continuing application filed during the pendency of the instant application. Applicants have amended claim 14 and claim 15, and the dependency of claims 19 and 27 has been amended as indicated herein.

Applicants have added claims 42-53 to recite other embodiments of the present invention. All of the newly added claims are drawn to elected subject matter and are fully supported by the originally filed specification and claims. For example, SEQ ID NO: 172 is described in Table 6 and compounds 15 to 30 nucleobases in length are described in lines 31-33 of page 10 of the specification. Percent complementarity is described on page 8 of the specification. Internucleoside linkages such as phosphorothioate linkages, modified sugar moieties including 2'-O-2-methoxyethyl modifications, and modified nucleobases including 5-methylcytosine are described in the specification, for example, throughout pages 19 to 23. No new matter is introduced by these claims.

### **Claim Objections**

Applicants thank the Examiner for indicating the allowability of claims 14 and 15 if written in independent form including all of the limitations of the base claim and deleting non-elected subject matter. Claims 14 and 15 have been amended as indicated in this paper to incorporate the limitations of the base claim, claim 1, and to delete non-elected sequences from the claim. Thus, applicants respectfully request allowance of the claims.

### **Rejections under 35 U.S.C. §102 or 35 U.S.C. § 103**

The Examiner has rejected claims 1-3, 10-13, and 19 under 35 U.S.C. 102(b) or 35 U.S.C. 103(a) as being anticipated or obvious over Barr et al. (U.S. Patent No.

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6,650,278), claims 1-2, 4-13, and 19-22, 24, 27, and 29 as being anticipated or obvious over Cook et al. (U.S. Patent No. 5,576,302). Applicants respectfully disagree, however, in an effort to advance prosecution, claims 1-13 have been cancelled, and claims 19-22, 24, and 29 now incorporate the limitations of claim 14. These amendments render the claim rejections asserted by the Examiner under 35 USC § 102 and 35 USC § 103 in the Office Action dated January 25, 2006 moot. Applicants believe that claims 14, 15, and 19-29 are in condition for allowance.

Rejections under 35 U.S.C. § 103

The Examiner has rejected claims 1-2, 4-15, and 19-29 under 35 U.S.C. 103(a) as being unpatentable over Cook et al. (U.S. Patent No. 5,576,302) in view of Baracchini et al. (U.S. Patent No. 5,801,154) and Bennett et al. (U.S. Patent No. 5,998,148). Applicants respectfully disagree, however, in an effort to advance prosecution, claims 1-13 have been cancelled, claims 14, 15, 19, and 27 have been amended as indicated herein. In light of the amendments set forth, the references alone or in combination do not teach all of the limitations of the claims. Therefore, the rejection is moot.

Applicants respectfully request allowance of the pending claims.

Respectfully submitted,

  
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Date: March 16, 2006

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